

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JENNIFER MILLER,

Plaintiff,

v.

MICHAEL J. ANDERSON, *et al.*,

Defendants,

and

FIRSTENERGY CORP.,

Nominal Defendant.

Judge John R. Adams

Case No. 5:20-cv-01743-JRA

STATUS REPORT OF DEFENDANT CHARLES E. JONES

Pursuant to the Court's Case Management Plan (ECF 160), Counsel for Mr. Jones provides the following status report covering the period of September 23, 2022 through November 7, 2022:

Settlement proceedings. As previously reported, on February 9, 2022, the parties reached an agreement in principle to settle and release all of the claims asserted in this action, which claims were simultaneously pending in the United States District Court for the Southern District of Ohio, the Summit County Court of Common Pleas, and this Court. On March 11, 2022, the settlement stipulation was fully executed and plaintiffs filed their unopposed motion for preliminary approval of the settlement in the United States District Court for the Southern District of Ohio (Case No. 2:20-cv-04813, ECF 170). Judge Marbley granted plaintiffs' motion for preliminary approval of the settlement with modification on May 9, 2022. (*Id.*, ECF 176.) Plaintiffs filed their motion for final approval of the settlement on July 7, 2022. (*Id.*, ECF 179.) A fairness hearing was held on August 4, 2022. (*Id.*, ECF 193.) Judge Marbley granted final approval of the settlement and entered final judgment on August 23, 2022. (*Id.*, ECF 195, 196.) Mr. Augenbaum, whose objection to the

settlement was overruled by Judge Marbley, filed a motion for reconsideration on September 20, 2022. (*Id.*, ECF 197.) Mr. Augenbaum's motion is fully briefed as of October 25, 2022. (*Id.*, ECF 198, 199, 200, 201.)

Discovery. Mr. Jones has not produced additional documents or issued new discovery requests in the period covered by this status report.

Motions. On August 24, 2022, all parties jointly filed a motion to dismiss this action with prejudice in light of the final approval of the settlement and entry of final judgment by Judge Marbley as to the claims asserted in this action. (ECF 353.) On August 25, 2022, Mr. Augenbaum filed a motion to intervene. (ECF 354.) On September 9, 2022, all parties opposed Mr. Augenbaum's motion to intervene. (ECF 359, 360, 361.) After receiving an extension, Mr. Augenbaum's reply in support of his motion to intervene was filed on September 22, 2022. (ECF 364.) In addition, all parties objected to the Court's stated intention to appoint lead plaintiffs' counsel on August 26, 2022. (ECF 355, 356, 357.) Mr. Augenbaum responded to the parties' objections on September 2, 2022. (ECF 358.) No other motions by Mr. Jones have been filed or are pending for the period covered by this status report.

Date: November 7, 2022

Respectfully submitted,

/s/ Douglas L. Shively

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on November 7, 2022. Notice of this filing will be sent to all electronically registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Douglas L. Shively

Counsel for Defendant Charles E. Jones